

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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AJAY PATHANIA,

Plaintiff,

-against-

METROPOLITAN MUSEUM OF ART,

ORDER

CV-11-2119 (JMA)

Defendant.

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AZRACK, United States Magistrate Judge:

On March 21, 2013, the Court issued a Memorandum and Order (the “Memorandum and Order”) granting in part and denying in part defendant Metropolitan Museum of Art’s motion for summary judgment. ECF No. 43. In that Memorandum and Order, the Court granted defendant summary judgment as to all of plaintiff’s claims except the claim that defendant retaliated against him, in violation of Title VII of the Civil Rights Act of 1964 (“Title VII”), by denying him overtime hours (the “Remaining Claim”). On April 5, 2013, I denied plaintiff’s motion for reconsideration. On June 18, 2013, plaintiff filed a stipulation of voluntary dismissal with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1), withdrawing the Remaining Claim (the “Stipulation”). ECF No. 50.

Fed. R. Civ. Proc. 54(b) provides that “When an action presents more than one claim for relief . . . or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.”

There is no just reason for a delay in entering final judgment in this case. In the Memorandum and Order, the Court fully adjudicated the parties’ rights as to all claims besides the Remaining Claim, which plaintiff subsequently withdrew with prejudice.

Accordingly, the Clerk of the Court is respectfully directed to enter final judgment for defendant, pursuant to Fed. R. Civ. Proc. 54(b), with respect to plaintiff's claims for (1) discrimination in violation of Title VII, (2) retaliatory termination in violation of Title VII, and (3) breach of contract.

SO ORDERED.

Dated: June 18, 2013
Brooklyn, New York

/s/
JOAN M. AZRACK
UNITED STATES MAGISTRATE JUDGE